

DECLARATION AND POWER OF ATTORNEY - ORIGINAL APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below beneath my name:

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which Letters Patent is sought on the invention entitled

CONCRETE BLASTING DEVICE WITH CLEAR WAND, STIFF BRUSH,  
RECOVERY CYLINDER, AND RECIRCULATING CYLINDER

the specification of which  
(check one)

☒ is attached hereto  
was filed on \_\_\_\_\_  
as Application S.N. \_\_\_\_\_  
and was amended on \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by an amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Sec. 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Sec. 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or invention certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Claimed

(Number)	(Country)	(Day/Month/Year Filed)	YES	NO
(Number)	(Country)	(Day/Month/Year Filed)	YES	NO

(Number)	(Country)	(Day/Month/Year Filed)	YES	NO
(Number)	(Country)	(Day/Month/Year Filed)	YES	NO

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

60/254,128

December 11, 2000

(Application Ser. No.)

(Filing Date)

I hereby claim the benefit under Title 35, United States Code, Sec. 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code,

10051807-12001

Sec. 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Sec. 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

(Application Ser. No.)	(Filing Date)	(Status) (patented, pending, abandoned)
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**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

B. Edward Shlesinger, Jr., Reg. No. 17,225; George A. Arkwright, Reg. No. 20,158; George A. Garvey, Reg. No. 17,737; Josefino P. de Leon, Reg. No. 33,166; Terrence L. B. Brown, Reg. No. 32,685; Michael M. Zadrozny, Reg. No. 30,985; Brian J. Marton, Reg. Agent 30,292.

SEND CORRESPONDENCE TO: SHLESINGER, ARKWRIGHT & GARVEY LLP  
3000 South Eads Street  
Arlington, Virginia 22202

DIRECT TELEPHONE CALLS TO Terrence L. B. Brown (703) 684-5600

The undersigned hereby authorizes the U.S. attorney(s) or agent(s) named herein to accept and follow instructions from \_\_\_\_\_ as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney(s) or agent(s) and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney(s) or agent(s) named herein will be so notified by the undersigned.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of sole or first inventor Paul Michael Fennessy  
Inventor's signature *Paul Michael Fennessy* Date 12-6-01  
Residence 17 Blackwood Drive, Liverpool, New York 13090  
Citizenship U.S. Citizen  
Post Office Address same as above

Full name of second joint inventor \_\_\_\_\_  
Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_  
Residence \_\_\_\_\_  
Citizenship \_\_\_\_\_  
Post Office Address \_\_\_\_\_

10054807 13004

Docket No.: Case 6902

Applicant: Paul Michael Fennessy

Filed: Herewith

Serial No: N/A

For: CONCRETE BLASTING DEVICE WITH CLEAR WAND, STIFF BRUSH,  
RECOVERY CYLINDER, AND RECIRCULATING CYLINDER

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS**  
**37 CFR 1.9(c) AND 1.27(b) - Independent Inventor**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled CONCRETE BLASTING DEVICE WITH CLEAR WAND, STIFF BRUSH, RECOVERY CYLINDER, AND RECIRCULATING CYLINDER described in the specification filed herewith.

I have not assigned, granted, conveyed, or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

I acknowledge the duty to file, in this application or patent, notification to any change in status resulting in loss of entitlement to small entity status prior to payment, or at the time of paying, the earliest of the issue fee or any maintenance fees due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

**Paul Michael Fennessy**

Name of Inventor

Name of Inventor

Name of Inventor

Signature of Inv.

Signature of Inv.

Signature of Inv.

Date

Date

Date